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UNITED NATIONS REVIEW CONFERENCE ON THE CONVENTION
ON A CODE OF CONDUCT FOR LINER CONFERENCES
Item 3 of the provisional agenda

PROVISIONAL RULES OF PROCEDURE

Prepared by the UNCTAD secretariat

Note by the secretariat

1. Pursuant to consultations with Governments held in accordance with operative paragraph 4 of the resolution adopted by the Review Conference, compromise texts on outstanding rules of procedure proposed by the President of the Conference and the Secretary-General of UNCTAD were published as document TD/CODE.2/2/Amend.1 on 27 June 1989.

2. The compromise package on the rules of procedure proposed by the President of the Conference and the Secretary-General of UNCTAD also included the text of a proposed statement to be made by the President of the Conference as reflecting the views of participating Governments on the work of the Review Conference. The text of the proposed statement was communicated by the Secretary-General of UNCTAD to the co-ordinators on shipping of Groups B and D and of China and to the Chairman of the Group of 77 in Geneva. The present document reproduces the text of the proposed statement.

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Text of proposed statement to be made by the President of the Conference

Taking into account the various views expressed at the first session of the Review Conference in 1988, my personal discussions with a number of representatives at that Conference, and after a long and comprehensive process of further consultations, it is my understanding and that of Group Coordinators and China that in directing the work of this Review Conference, the present scope and fundamental principles of the Code should remain unchanged. Therefore, work of this Review Conference should concentrate, in particular, on reviewing the working and implementation of the Code while not excluding consideration of amendments where it can be shown that provisions of the Code are failing to meet the original objectives. Taking into account the nature of work ahead of us, it may, on many occasions, be preferable to reflect the outcome of our deliberations on various issues in documents such as guidelines or memoranda. It is the firm belief of all Groups and China that any attempts to change the fundamental nature of the Code by amendment or otherwise would, in the light of the long drawn-out legislative history of the Code, give rise to a new situation.

This understanding does not, in any way, preclude the right of any Contracting Party to present amendments, outside the context of this Review Conference, under the procedure established by Article 51 of the Convention.